

THE HONORABLE JOHN H. CHUN

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

THE PHOENIX INSURANCE  
COMPANY, a foreign insurance company,

Plaintiff,

v.

OTAK, INC. an Oregon Corporation, THE  
CITY OF RIDGEFIELD, a municipality  
and ROGER SINCLAIR, an individual.

Defendants.

No. 3:23-CV-5125-JHC

**ORDER GRANTING THE DISMISSAL  
OF ROGER SINCLAIR WITHOUT  
PREJUDICE**


Before the court is Plaintiff The Phoenix Insurance Company's (hereinafter "Phoenix") Motion to Dismiss Roger Sinclair Without Prejudice. Dkt. # 22. The Court has reviewed all of the briefing and materials submitted by the parties including:

1. Phoenix's Motion to Dismiss Roger Sinclair Without Prejudice;
2. The Declaration of N. Chance Laboda in Support of Phoenix's Motion to Dismiss Roger Sinclair Without Prejudice and the exhibit(s) attached thereto; and
4. Phoenix's Reply In Support of Phoenix's Motion to Dismiss Roger Sinclair Without Prejudice.

Having considered the foregoing, as well as the records and pleadings already on file, it is hereby ORDERED that Phoenix's Motion to Dismiss Roger Sinclair Without Prejudice is

1 GRANTED, Defendant Roger Sinclair is dismissed without prejudice, and the dismissal is  
2 effectuated without an award of fees or costs to any party.

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4 DONE IN OPEN COURT this 13th day of July, 2023.

5   
6 The Honorable John H. Chun

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10 Presented By:

11 LETHER LAW GROUP

12 /s/ Thomas Lether

13 Thomas Lether, WSBA #18089

14 /s/ N. Chance Laboda

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